



Atty. Dkt. No. 056859-0117

ITW 1455  
DAC/1634  
4

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Usha GOSWAMI et al.

Title: PROBES FOR MYCTOPHID FISH AND A  
METHOD FOR DEVELOPING THE SAME

Appl. No.: 09/782,604

Filing Date: 02/14/2001

Examiner: Sally A. Sakelaris

Art Unit: 1634

**REQUEST FOR PATENT TERM ADJUSTMENT**

**PURSUANT TO 37 CFR 1.705**

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Applicants respectfully request reconsideration of the determination of patent term adjustment included with the Notice of Allowance dated August 23, 2003. Applicants believe the total PTA should be 257 days rather than the listed 0 days. The applicants were assessed "applicant delays" of 336 days for responding to the Notice to File Missing Parts (Notice).

The Notice was mailed June 13, 2001. Applicants' final complete response to the Notice was filed on December 13, 2001.

Although PAIR reflects that this response was indeed filed on December 13, 2001, it incorrectly shows the "application complete" date as August 15, 2002, rather than December 13, 2001

The USPTO has attributed a total of 305 days of delay – 296 days of delay for mailing the restriction requirement and 9 days of delay to mail the first non-final office action. Yet the applicants were assessed a total of 369 days of applicant delay – 336 days for the final

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complete submission of a response on December 13, 2001 to the Notice and 33 days for the response on June 1, 2004 to the second non-final office action.

Applicants agree that PTA should be accessed for applicants' delay in responding to both the Notice and the second non-final office action. However, applicants believe that only 91 days of delay in responding to the Notice should be assessed, rather than 336.


For these reasons, applicant respectfully requests that the total PTA be increased from 0 days to 257.

The required fee of \$200.00 is enclosed. The Commissioner is authorized to charge or credit any under or overpayment to Deposit Account No. 19-0741.

Respectfully submitted,

Date November 22, 2004

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## Patent Term Adjustment Calculation System

Add a new event to this case

Docket Number: 056859-0117

Application Number: 09/782604

Patent Number: N/A

	Event Description	Event Date	Days from Filing	PTO Days	Applicant Days
Edit Delete	Application Filing Date	02/14/2001	0		
Edit Delete	Notice to File Missing Parts	06/13/2001	119		
	Notice to File Missing Parts + 3 months	09/13/2001	211		
Edit Delete	Response to Notice to File Missing Parts	12/13/2001	302		91
	14 month From Application date	04/14/2002	424		
Edit Delete	Restriction Requirement	02/04/2003	720	296	
Edit Delete	Restriction Requirement Response Received at PTO	03/04/2003	748		
	Restriction Requirement Response Filed + 4 months	07/04/2003	870		
Edit Delete	PTO Action	08/12/2003	909	39	
Edit Delete	PTO Action Response Received at PTO	11/12/2003	1,001		
Edit Delete	PTO Action	01/29/2004	1,079		
	PTO Action + 3 months	04/29/2004	1,170		
Edit Delete	PTO Action Response Received at PTO	06/01/2004	1,203		33
Edit Delete	Notice of Allowance	08/23/2004	1,286		
	3 Year Period Starts	01/14/2005	1,430		
	Projected Patent Grant Date	03/01/2005	1,476	46	
			Totals:	381	124
			PTA:	257	

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**FOLEY**

LOGIN: Dexter Forbes

IP: 10.31.7.233

Foley &amp; Lardner LLP

Printer Friendly

09/782,604 PROBES FOR MYCTOPHID FISH AND A METHOD FOR DEVELOPING THE SAME

## Patent Term Adjustment History

Patent Term Adjustment (PTA) for Application Number: 09/782,604			
			Days
Filing or 371(c) Date:	02-14-2001	USPTO Delay (PTO):	305
Issue Date of Patent:	-	Three Years:	-
Pre-Issue Petitions (days):	+0	Applicant Delay(APPL):	369
Post-Issue Petitions (days):	+0	Total PTA:	0
USPTO Adjustment(days):	+0	Explanation Of Calculations	
Patent Term Adjustment History			
Date	Contents Description	PTO(Days)	APPL (Days)
08-23-2004	Mail Notice of Allowance		
08-20-2004	Notice of Allowance Data Verification Completed		
08-19-2004	Issue Revision Completed		
08-19-2004	Notice of Allowability		
06-16-2004	Date Forwarded to Examiner		
06-01-2004	Response after Non-Final Action	↑	33
06-01-2004	Request for Extension of Time - Granted	↑	↑
06-01-2004	Workflow incoming amendment IFW	↑	↑
01-29-2004	Mail Non-Final Rejection	↑	↑
01-26-2004	Non-Final Rejection	↑	
12-10-2003	CRF Is Good Technically / Entered into Database	↑	
11-17-2003	Date Forwarded to Examiner	↑	
11-12-2003	Miscellaneous Incoming Letter	↑	
11-12-2003	Response after Non-Final Action	↑	
08-12-2003	Mail Non-Final Rejection	9	
08-09-2003	Non-Final Rejection	↑	
06-02-2003	Date Forwarded to Examiner	↑	
04-03-2003	Response to Election / Restriction Filed	↑	
04-03-2003	Request for Extension of Time - Granted	↑	
02-04-2003	Mail Restriction Requirement	296	
02-03-2003	Requirement for Restriction / Election	↑	
09-23-2002	Case Docketed to Examiner in GAU	↑	
08-27-2002	Application Dispatched from OIPE	↑	
08-15-2002	Application Is Now Complete	↑	336
12-13-2001	Applicant has submitted a new specification to correct Corrected Papers problems	↑	↑
11-27-2001	CRF Is Good Technically / Entered into Database	↑	↑
06-13-2001	Notice Mailed--Application Incomplete--Filing Date Assigned	↑	↑

05-08-2001	Correspondence Address Change	↑
03-08-2001	IFW Scan & PACR Auto Security Review	↑
02-14-2001	Initial Exam Team nn	↑

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